

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHRISTOPHER JAY SANCHEZ,

Plaintiff,

v.

HAROLD CLARKE, *et al*,

Defendants.

Case No. C05-5486FDB

ORDER GRANTING
DEFENDANTS' MOTION TO
DISMISS UNNAMED
DEFENDANTS

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the court on defendants' filing of a motion to dismiss unnamed defendants. (Dkt. #52). Plaintiff has not filed any response to the motion. After reviewing defendants' motion and the remaining record, the court hereby finds and ORDERS as follows:

In their motion, defendants argue that two individuals, Marc Rosenberg, M.D., and Steve Winters, who were served with the complaint, but who were not identified therein as defendants in this case, should be dismissed from any further participation in this action. The undersigned agrees. Although apparently served with the complaint as plaintiff provided the clerk with the forms for doing so (see Declaration of Sara J. Olson, Exhibit 1, attached to Defendants' Motion to Dismiss Unnamed Defendants), neither of the above two individuals appear anywhere in the body of the complaint. As such, they are not parties to this

lawsuit, and should not have been served with the complaint.

Accordingly, defendants' motion to dismiss unnamed defendants (Dkt. #52) hereby is GRANTED.

The clerk is directed to send a copy of this Order to plaintiff and counsel for defendants.

DATED this 13th day of March, 2006.



Karen L. Strombom
United States Magistrate Judge